

Special Education Advisory Panel Operating Guidelines

Revised July 2004

Section A. Purpose

The purpose and duties of the Special Education Advisory Panel shall be to advise the State Superintendent of Public Instruction in ways that promote services for children and youth with disabilities as follows:

1. Promote services for children as authorized in the Individuals with Disabilities Education Act (IDEA) and its implementing regulations, including the duty to:
 - a. Advise the State Department of Education (SDE) of unmet needs within the state in the education of children and youth with disabilities;
 - b. Comment publicly on any rules or regulations proposed by the SDE regarding the education of children and youth with disabilities;
 - c. Advise the SDE in developing evaluations and reporting on data and evaluations to the U.S. Secretary of Education in the performance of his/her responsibilities;
 - d. Advise the SDE in developing and implementing corrective action plans to address findings identified in Federal Monitoring Reports;
 - e. Advise the SDE on the education of students with disabilities who have been convicted as adults and incarcerated in adult prisons;
 - f. Advise the SDE on its comprehensive system of personnel development (CSPD) function to aid in recruiting, preparing, and retaining qualified personnel; and
 - g. Advise the SDE in developing and implementing policies relating to the funding and/or coordination of services for children with disabilities.
2. In order to facilitate these duties, the Panel may engage in one or more of the following activities relating to the provision of services to children with disabilities:
 - a. Identify barriers;

- b. Educate the public, educators, and policy makers:
 - 1. Promote awareness;
 - 2. Disseminate information; and
 - 3. Advocate for quality education.
- c. Facilitate dialogue among service providers, the SDE, and institutions of higher education;
- d. Review and respond to activities/documents produced by the Bureau of Special Education;
- e. Receive and offer public comment; and
- f. Assist the SDE in systematic planning, evaluation, and implementation activities.

Section B. Membership

1. What is a panel member's role and responsibilities?

- a. Bring information from your constituency and feedback information to your constituency.
- b. Explore information as needed.
- c. Analyze and synthesize the information presented.
- d. Make determinations/recommendations from information representative of your constituency.
- e. Communicate our determinations and recommendations to the State Department of Education (SDE) and our representative constituency.
- f. Attend all meetings.

2. The majority of the membership of the Panel will be individuals with disabilities or parents of students with disabilities. (In this document, parent will be defined as a person who has a child or has had a child with special needs.) In order to represent children's mental health issues, one member will be the parent of a child with mental health issues or an individual with mental health issues.

Rationale: With all of the demands and changes from the Jeff D. case and the dismantling of the Panel's ad hoc committee on Emotional Disturbance (ED), this position would fill the void relating to ED and children's mental health issues.

The remaining membership shall be comprised as follows:

- a. One general education teacher and one special education classroom teacher;

- b. One special education director and one superintendent or assistant superintendent;
 - c. Administrator(s) of programs for children with disabilities;
 - d. Two representatives of institutions of higher education that prepare special education and related services personnel will be selected in the following sequence, if appropriate personnel apply for membership.
 - i. Northwest Nazarene University
 - ii. University of Idaho
 - iii. Lewis-Clark State College
 - iv. Boise State University
 - v. Idaho State University
 - vi. Brigham Young University Idaho
 - e. One representative from other State agencies that are involved in financing or delivering related services to children with disabilities;
 - f. One representative of a private school and one representative of a public charter school;
 - g. At least one representative of a vocational, community, or business organization concerned with providing transition services to children with disabilities;
 - h. One representative each from the State juvenile and the adult correction agencies; and
 - i. One representative of gifted and talented education.
- Rationale:** The Gifted and Talented Program is housed in the Bureau of Special Education. Planning for and implementing continuous improvement in the educational needs of all children, and, specifically those of exceptional children, is best accomplished when the entire Bureau, which is under one chief, can be advised by a Panel (SEAP) that is representative of all concerns in the Bureau.
- j. “At Large” members may be appointed at the discretion of the Chairperson.

- 2. Nominations for members will be solicited from appropriate educational organizations, parent organizations and other appropriate sources.
 - a. The vice chair, working with the support person, will solicit nominations for membership prior to the annual meeting. The Executive Committee will review these nominations, and their recommendations will be given to the State Superintendent of Public Instruction so that appointments may be made by July 1st.
- 3. The State Superintendent of Public Instruction appoints all Panel members. The term of appointment for Panel members is three years, except when an appointment is to complete an un-expired term or to serve in a leadership position. A Panel member, who becomes vice-chair

in the third year of his/her term, will automatically have his/her term extended for one year. Other panel members who desire to have his/her term extended, shall submit an application for reappointment to the Panel. The rotation of members shall occur to retain approximately two-thirds of the members each year.

4. Members are encouraged to appoint substitutes, send in absentee ballots, proxy ballots, participate in telephone conference calls or other options for participation in panel decision-making. Members who choose not to participate in alternative ways, forfeit their right to vote.
5. The Executive Committee may require an individual member to forfeit membership on the Panel, if the individual misses two successive meetings without presenting a valid reason to the chairperson in advance of the meeting.
6. If an appointee represents a constituency group and the appointee is no longer a representative of that constituency group, the individual will be required to resign his/her appointment.
7. The Bureau of Special Education Chief or his/her designee is an ex-officio member of the Panel.

Section C. Meetings

1. The Special Education Advisory Panel shall meet as often as necessary to conduct its business, usually three times a year. Members are expected to chair and/or serve on committees or work groups.
2. Following the final meeting of each year, the Panel Chairperson shall develop a report of Panel activities and recommendations. This report shall be submitted to the State Superintendent of Public Instruction by July 1st. The SDE will make the report available to the general public.
3. Official minutes shall be kept on all Panel meetings and made available to the public upon request.
4. The panel will set a schedule of meeting dates the last meeting of the current year. All meetings shall be open to the public. The meetings will be conducted in an orderly fashion. The chair and vice chair are voting members of the panel.
5. Interpreters and other necessary accommodations shall be provided at Panel meetings for Panel members or participants as requested.
6. The Bureau of Special Education shall reimburse the Panel members for reasonable and necessary expenses for attending meetings and performing duties as established by the State of Idaho. Panel members may not receive compensation. Reimbursable expenses may include cost for childcare, attendant care, transportation, lodging, meals, and accommodations, such as

interpreters.

7. The Bureau of Special Education shall reimburse consumers, parents, and/or other members attending Panel meetings outside the scope of their employment for lost wages. Reimbursement for lost wages will be the amount of lost wages, not to exceed the maximum daily amount set by the Idaho State Department of Education. The member must submit a request to the SDE for approval stating the circumstances and the amount of reimbursement requested. A designee of the Bureau of Special Education and the Panel chair will approve or deny the request.
8. The Bureau of Special Education shall provide secretarial support at Panel meetings and to support Panel activities.

Section D. Election and Duties of Officers

1. The officers of the Special Education Advisory Panel shall include a chairperson and a vice chairperson.
2. In consultation with the executive committee, the chair shall:
 - a. Develop meeting agendas and chair meetings;
 - b. Coordinate Panel activities with the Bureau of Special Education staff;
 - c. Draft correspondence and reports;
 - d. Appoint committees and work groups; and
 - e. Appoint standing committee chairpersons annually.
3. The vice chairperson will be elected by popular vote annually after nominations are held at the final meeting.
4. The vice chairperson shall perform the duties of the chairperson in the absence of the chairperson, coordinate and facilitate the orientation training for new Panel members, solicit nominations for membership, and assist the chairperson when necessary.
5. The vice chairperson shall automatically become the Chairperson of the Panel for the following year at the final meeting. If the vice chairperson is unable to assume the role of chairperson, the Panel will elect a new chairperson and a new vice chairperson, by popular vote at the next meeting, to serve for the following year. In the event that the chairperson becomes unable to complete his/her term and the vice chairperson wishes to remain vice chairperson, a new chairperson will be elected.
6. In the event there is not a Chairperson or Vice Chairperson, the Executive Committee will

- appoint an Acting Chairperson until such time as the full panel convenes.
7. The chairperson and the vice chairperson may vote on any item brought before the Panel.

Section E. Executive Committee

1. Duties:
 - Resolve membership issues and oversee nomination process
 - Develop draft of annual report for SDE
 - Appoint committees and chairpersons
 - Assist in developing agendas
 - Prepare Panel correspondence
 - Review drafts of the annual reports
 - Review operating guidelines
2. Membership, at a minimum, includes the following individuals:
 - Chair and Vice Chair for the Panel;
 - Focus Committee Chairs and Co-Chairs; and
 - Other Panel members at the discretion of the Chairperson.
 - a. Ad Hoc Committees shall be formed to serve a particular need for a particular time period. The Panel Chair shall appoint all ad hoc committee members.
 1. Duties:
 - a. Perform functions as designated by the Executive Committee and
 - b. Report and make recommendations to the Panel.

Section F. Focus Committees

1. The Executive Committee will create Focus Committees for the following school year. These committees will be created according to identified focuses and needs. Persons other than SEAP members may be appointed.
 - a. Duties
 - Review and analyze existing data;
 - Comment on rules and policy;
 - Comment on proposed legislation;
 - Inform Superintendent of Public Instruction of legislative needs;
 - Review SDE annual reports;
 - Advise SDE on education of students with disabilities, including those in prisons, concerning legal or funding requirements;
 - Identify unmet needs;
 - Participate in identifying annual training needs; and

- Facilitate communications.

Section G. Amendments to Guidelines

These guidelines may be amended by a two-thirds affirmative vote of members at any regular Special Education Advisory Panel meeting.

The Advisory Panel develops operating guidelines congruent with the procedures as set forth in the Act for carrying out its function. The State Superintendent of Public Instruction approves such operating guidelines or proposed changes to ensure consistency with state and federal laws, regulations and rules, as well as the prudent use of public funds.